

THE COMMISSION SHOULD DENY THE CALIFORNIA PETITION FOR A TSO

- **California Petition:** On September 27, 2002, the California Public Utilities Commission (“CPUC”) filed a petition seeking authority to implement one technology specific overlay (“TSO”) in each the 310 and 909 numbering plan areas (“NPAs”) in Southern California.
- **Recommended Action:** AT&T Wireless Services, Inc. (“AWS”) urges the Commission to expedite its consideration and denial of the TSO petition and to require the CPUC to implement full area code relief immediately.
- **Reasons for Expedited Denial:** The record overwhelmingly supports *expedited* denial of the petition, given the NPAs’ imminent exhaust. Further, denial is required because the CPUC proposes “take-backs,” unnecessarily segregates wireless numbers, and fails to require 10-digit dialing. The petition also fails to make the required showing that the TSOs’ benefits outweigh their costs or that TSOs are preferable to all-services overlays.
- **Discriminatory Effects and Costs:**
 - The proposed “take-back” of 3 million wireless numbers will impose considerable costs and burdens. Wireless customers will have to change their numbers; inform friends, family, and business associates of their new number; and reprint stationery and business cards, and change advertising. There is no record evidence that wireless customers support this proposal, or that the CPUC has met the Commission-suggested incentives for the “take-backs” or a phased-in approach.
 - The segregation of wireless numbers is discriminatory and would dampen wireless-wireline competition. There is no technical basis for segregating wireless customers, because wireless carriers are currently pooling. In addition, once wireless carriers become LNP-capable, the technology-specific nature of the overlay is destroyed as well.
 - The lack of 10-digit dialing and dialing disparity effects will exacerbate the already anti-competitive and discriminatory effects of the proposed TSOs (with take-backs).
- **The TSOs Would Provide Little Benefit.** Both the 310 or 909 NPAs are estimated to exhaust in approximately 6 months. The marginal benefit of extending the lives of these NPAs is questionable, given the amount of time (by some estimates 12-18 months) it would take to complete the “take-backs.” These benefits are particularly specious given that the TSOs would convert to an all-services overlay in two years.
- **The Proposed TSOs Are Not Preferable to An All-Services Overlay:** Unlike the proposed TSOs, an all-services overlay does not have discriminatory effects and costs. It is simpler and more efficient to implement an all-services overlay now, as opposed to implementing TSOs followed by all-services overlays in two years.

- ***Conclusion:*** The Commission should deny the petition and require the CPUC to implement traditional area code relief immediately.